

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

FILED

FEB 21 2007

GOVERNMENT
EXHIBIT NO. 2
BY [Signature] DEPUTY CLERK
WESTERN DISTRICT COURT
OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

V.

MIGUEL LOYA,

Defendant.

CAUSE NO. P-06-CR-279

FACTUAL BASIS

On December 8, 2006 Customs and Border Protection (CBP) Officers were performing an outbound operation at the Presidio, Texas Port of Entry, located in the Western District of Texas.

CBP Officers stopped a yellow Hummer bearing Mississippi tag "BigBoy".

The driver was identified as MIGUEL LOYA.

The CBP Officers asked the Defendant, MIGUEL LOYA, if he had guns, or ammunition and the Defendant, MIGUEL LOYA, answered "no".

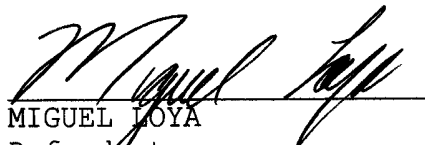
CBP Officers noticed tampering on the center console of the vehicle and upon further inspection found a sock filled with 9mm ammunition. CBP Officers found a total of 250 rounds of 9mm ammunition.

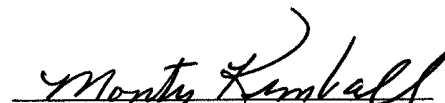
The Defendant, MIGUEL LOYA, admitted knowledge of the ammunition in the vehicle.

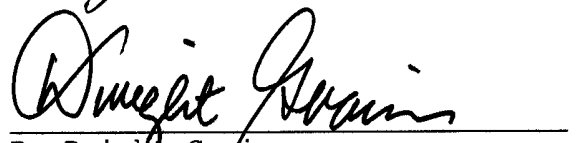
Records reflect that the Defendant, MIGUEL LOYA, had not obtained from the Department of State a license for such export and attempted export, or written authorization for such export and attempted export.

The Defendant, MIGUEL LOYA, is pleading guilty and admitting that he and others, aiding and abetting one another, knowingly exported and caused to be exported or attempted to export from the United States to Mexico defense articles, that is, 250 rounds of 9mm ammunition, which have been designated as a defense article on the United States Munitions List, without having first obtained from the Department of State a license for such export and attempted export, or written authorization for such export and attempted export.

Signed this the 21st day of February, 2007.


MIGUEL LOYA
Defendant


Attorney for Defendant


B. Dwight Goins
Assistant United States Attorney